

From: Thomas Oughton
To: Microsoft ATR
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Subject: Microsoft Settlement

To whom it may concern,

In my opinion the current proposed settlement is not a penalty. Microsoft owns the computer desktop. They have used this monopoly to move into and take over the browser market and the office suite market. They are now using this to move into the streaming media market, pushing out the existing players. Rather than using the existing standards used by the existing players Microsoft has created a new "standard" that will only work with Microsoft players. As they ship these players for free with the OS and can easily start out with millions of players out in the market place, how long until Real and the other streaming media vendors are pushed out? Microsoft is also using their monopoly in the desktop OS market to push their .NET marketing strategy. They require the owners of Windows XP to join Microsoft Passport one of the main parts of .NET or Windows XP will stop functioning.

When cable tv was growing at a rapid pace, US West wanted to use their existing infrastructure to provide cable tv, but because their monopoly would have given them an unfair advantage they were bared from entering into new technological areas. Why is Microsoft allowed to use its monopoly to move into areas where it has an unfair advantage over the companies that pioneered the new area.

In my opinion, I say let Microsoft have the desktop OS but don't allow them to move into the new technnology areas until there are firmly established companys that can be on equal footing in that area with Microsoft's juggernaut. These areas include internet service servers, streaming media and large and medium sized server operating systems software. They have already moved into tv (MSNBC, Ultimate TV), video games (Xbox) and as a internet service provider (MSN). They have over 30 billion dollars cash just looking for other areas to expand into.

The holdout states' proposed settlement is a lot closer to what I think should be done if Microsoft isn't treated like a public utility and controlled by a commission.

Thanks

Tom Oughton

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